




County of San Bernardino Department of Behavioral Health

INFORMATION NOTICE 09-04

Date March 19, 2009

To Department of Behavioral Health Staff
Department of Veterans Affairs Staff

From Allan Rawland, Director 

Subject Assembly Bill 3083

Purpose To ensure that mental health and substance abuse services for clients are provided in accordance to state regulations that were amended or added due to Assembly Bill (AB) 3083 being chaptered into law.

Amendments The passage of AB 3083 by California Legislation on September 30, 2008, made changes to Welfare and Institutions (W&I) Code Sections 5600.3, 5806, 5807 and 5808, effective January 1, 2009. The following amendments were made:

- inclusion of bipolar disorder and post-traumatic stress disorder in the definition of serious mental disorder,
- provision for the ability of California veterans in need of mental health services who meet eligibility requirements be provided services to the extent that resources are available,
- assistance to veterans in linkage to those services,
- provision for the State Department of Mental Health (DMH) to establish standards regarding a service planning and delivery process that is target population based and includes a provision for services to veterans,
- requirement by State DMH of counties to coordinate with federal agencies responsible for providing veterans' services to maximize the integration of services and to eliminate duplicative efforts, and
- requirement of participating counties to collect reimbursement for services from veterans' services.

Continued on next page

County of San Bernardino
Department of Behavioral Health
INFORMATION NOTICE 09-04, Continued

Addition	<p>The addition of Section 5815 of the W&I Code became effective January 1, 2009, requiring the State Department of Health Care Services to seek all available federal funding for mental health services of veterans.</p>
Definitions	<p><i>Serious Mental Disorder:</i> a mental disorder that is severe in degree and persistent in duration, which may cause behavioral functioning which interferes substantially with the primary activities of daily living, and which may result in an inability to maintain stable adjustment and independent functioning without treatment, support, and rehabilitation for a long or indefinite period of time. Serious mental disorders include, but are not limited to, schizophrenia, bipolar disorder, post-traumatic stress disorder, as well as major affective disorders or other severely disabling mental disorders. Persons with a serious mental disorder and a diagnosis of substance abuse, developmental disability, or other physical or mental disorder shall not be construed as being excluded.</p> <p><i>Target Population:</i> a person is considered as being the target population if the person meets all the following criteria; has a mental disorder as identified in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders, other than a substance use disorder or developmental disorder or acquired traumatic brain injury pursuant to subdivision (a) of Section 4354 of the W&I Code unless that person also has a serious mental disorder as defined in W&I Code 5600.3 (b)(2), as a result of the mental disorder, the person has substantial functional impairments or symptoms, or a psychiatric history demonstrating that without treatment there is an imminent risk of decompensation to having substantial impairments or symptoms, and as a result of a mental functional impairment and circumstances, the person is likely to become so disabled as to require public assistance, services or entitlements.</p> <p><i>Functional Impairment:</i> being substantially impaired as the result of a mental disorder in independent living, social relationships, vocational skills or physical condition.</p>
Policy and Definitions	<p>Effectively immediately all Department of Behavioral Health (DBH), contract agency and Department of Veterans Affairs staff shall comply with Sections 5600.3, 5806, 5807, 5808 and 5815 of the W&I Code. Adherence to these W&I Codes are effectuated by following DBH Policy CLP0828: Veteran Services Policy and Procedure CLP0829: Veteran Services Procedure.</p>

Continued on next page

County of San Bernardino
Department of Behavioral Health
INFORMATION NOTICE 09-04, Continued

**Policy and
Procedures**
(continued)

The implementation of AB 3083 requires the following of mental health clinicians and physicians:

- Be well versed in the target population criteria standards described in this Information Notice
- Aware that under current law, being a California veteran with a mental illness, including PTSD, does not in and of itself, constitute as meeting target population criteria as all other qualifying conditions must be met
- Aware that veterans may not be denied services if they otherwise meet target population eligibility criteria simply because they are veterans and may be eligible for federal United States Department of Veteran Affairs services
- Inquire about an individual's veteran status as part of the intake process
- Refer an individual to the county veteran's service officer whenever a client indicates that he/she has served as a veteran of the armed services, regardless of date or length in time, to assist the person in determining eligibility for other services

Questions

Questions regarding this Information Notice may be directed to Joseph Ralph Ortiz, Ph.D., MFT at (909) 382-3088
